

Commissioner Stewart Acts to Prohibit Health Insurers from Unlawfully Discriminating against Transgender Delawareans

DOI Bulletin Forbids Denial of Coverage, Benefits

Dover, DE – Insurance Commissioner Karen Weldin Stewart today issued a bulletin to all insurers doing business in Delaware prohibiting unlawful discrimination in the provision of health insurance coverage and benefits because of a person's gender identity or transgender status.

Domestic and Foreign Insurers Bulletin No. 86 states that "any blanket policy exclusion for gender dysphoria, gender identity disorder, medically necessary surgeries or other treatments related to gender transition or related services is a violation of the Unfair Trade Practices Act" as found in Title 18, Section 2304 of the Delaware Code.

Citing the Gender Identity Nondiscrimination Act, passed by the General Assembly and signed by Governor Markell in 2013, the bulletin specifically prohibits "the denial, cancellation, termination, limitation, refusal to issue or renew, or restriction, of insurance coverage or benefits thereunder because of a person's gender identity or transgender status, or because the person is undergoing gender transition."

"All Delawareans should have access to quality health care, regardless of their gender identity," said Commissioner Stewart. "The Insurance Department will be vigilant in making sure all insurers comply with the law."

The Department will take administrative or legal action against any insurance company licensed to do business in Delaware that fails to comply with the Unfair Trade Practices Act, as amended by the Gender Identity Nondiscrimination Act, or other State law.

Any transgender individual with a question or complaint should contact the Delaware Department of Insurance at 1-800-282-8611 or DOI_Consumer_Resource@delaware.gov .

The complete text of Bulletin No. 86 can be found at <http://www.delawareinsurance.gov/departments/documents/bulletins/domestic-foreign-insurers-bulletin-no86.pdf?updated>

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